

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/657,398	PETITE ET AL.	
	Examiner	Art Unit	
	Sonny TRINH	2687	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to terminal disclaimer filed 12/09/05.
2. ☒ The allowed claim(s) is/are 1-18 and 21-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

### **DETAILED ACTION**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Hunter YANCEY (Reg. No. **53,809**) on 02/07/2006.

### ***Examiner's Amendment***

2. The application has been amended as follows:

In the claims:

Please cancel **claims 19-20, and 24-26.**

**(End of Examiner's Amendment)**

***Terminal Disclaimer***

3. The terminal disclaimer filed on 12/09/05 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent Number 6,618,578 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Allowable Subject Matter***

4. **Claims 1-18, 21-23** are allowed. Claims 21-23 have been renumbered to 19-21 respectively.

The following is an examiner's statement of reasons for allowance:

The present invention is directed to a system and method for communicating between a personal data access device and a remote communication unit. A device, electrically connected for communication with a public switched telephone network (PSTN), is provided for facilitating communications between a personal data access device and a remote communication unit disposed in communication with the PSTN. The device includes a radio frequency (RF) transceiver configured for communication with a remote RF transceiver associated with the personal data access device, via an RF link, and a controller, responsive to communications received from the remote RF transceiver to maintain two-way communication between the personal data access device and the remote communication unit via the PSTN and the RF link..

The closest prior art, Streck et al. (US 4,856,046) shows a similar system for providing remote access by telephone devices to telephone lines by means of IR energy or RF energy. However, Streck fails to disclose "... A system for communicating with a remote communication unit via a public switched telephone network (PSTN), comprising: a personal data access device executing a program that is to communicate with the remote communication unit via the PSTN; a first radio frequency (RF) transceiver associated with the personal data access device and in communication with the program, wherein the first RF transceiver is controlled by the program; a public, pay-type telephone, electrically connected for communication over the PSTN; a second RF transceiver interfaced with the telephone, the second RF transceiver configured for communication, via an RF link, with the first RF transceiver; and a controller interfaced with the telephone, responsive to communications received from the first RF transceiver to communicate over a data communication link via the PSTN to the remote communication unit designated by the personal data access device, the controller being configured to allow data communications over the PSTN, the controller and the program being further configured to maintain two-way communication between the personal data access device and the remote communication unit via the PSTN and the RF link, and the controller being further configured to terminate the data communication link over the PSTN to the remote communication unit designated by the personal data access device, wherein responsive to receiving from the first RF transceiver a termination communication that originated from the program, the controller terminates the data communication link...." as specified in **claim 1**.

Regarding **claim 9**, Streck also fails to show: “...A system for communicating with a remote communication unit via a public switched telephone network (PSTN), comprising: a personal data access device having a first radio frequency (RF) transceiver; a communication device for communication over the PSTN; a second RF transceiver interfaced with the communication device, the second RF transceiver configured for communication with the first RF transceiver via an RF link; and a controller associated with the communication device, responsive to communications received from the first RF transceiver to communicate over a phone line via the PSTN and maintain two-way communication between the personal data access device and the remote communication unit via the PSTN and the RF link, the controller being configured to allow data communications over the PSTN and being configured to terminate the communication between the personal data access device and the remote communication unit, wherein responsive to receiving from the first RF transceiver a termination message, the controller terminates the communication between the personal data access device and the remote communication unit. ...” as specified in claim 9.

Also, Streck fails to disclose “...A system for communicating with a remote communication unit via a public switched telephone network (PSTN), comprising: a personal data access device executing a program that is to communicate with the remote communication unit via the PSTN; a first radio frequency (RF) transceiver associated with the personal data access device and in communication with the program, wherein the first RF transceiver is controlled by the program; a

communications device electrically connected for communication over the PSTN; a second RF transceiver interfaced with the communications device, the second RF transceiver configured for communication, via an RF link, with the first RF transceiver; and a controller interfaced with the communications device, responsive to communications received from the first RF transceiver to communicate over a data communication link via the PSTN to the remote communication unit designated by the personal data access device, the controller being configured to allow data communications over the PSTN, the controller and the program being further configured to maintain two-way communication between the personal data access device and the remote communication unit via the PSTN and the RF link, and the controller being further configured to terminate the data communication link over the PSTN to the remote communication unit designated by the personal data access device, wherein responsive to receiving from the first RF transceiver a termination communication that originated from the program, the controller terminates the data communication link. ..."

as specified in **claim 21**.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonny TRINH whose telephone number is 571-272-7927. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward URBAN can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2/7/06

  
SONNY TRINH  
PRIMARY EXAMINER